

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

FACULTY, ALUMNI, AND STUDENTS
OPPOSED TO RACIAL PREFERENCES
(FASORP),

Plaintiff,

v.

NORTHWESTERN UNIVERSITY; HARI
OSOFSKY, in her official capacity as dean of
Northwestern University School of Law; SARAH
LAWSKY, JANICE NADLER, AND DANIEL
RODRIGUEZ, in their official capacities as
professors of law at Northwestern University;
DHEVEN UNNI, in his official capacity as editor in
chief of the Northwestern University Law Review;
JAZMYNE DENMAN, in her official capacity as
senior equity and inclusion editor of the
Northwestern University Law Review,

Defendants.

Case No. 25-cv-1129

District Judge Sara L. Ellis

DEFENDANTS' MOTION TO VACATE THE BRIEFING SCHEDULE

Defendants respectfully move to vacate the briefing schedule on their forthcoming motion to dismiss, *see* Dkt. 16, pending resolution of their Rule 41(d) motion.

1. On February 19, 2025, this Court set the deadline for Defendants' motion to dismiss as April 3, 2025, with Plaintiff's response due by May 9, 2025, and Defendants' reply due June 6, 2025. *See* Dkt. 16.

2. On March 25, 2025, Defendants filed a Rule 41(d) motion that, among other things, asks the Court to stay this case under Rule 41(d)(2) until Plaintiff pays Defendants an award of fees and costs under Rule 41(d)(1). *See* Dkt. 17.

3. Requiring Defendants to file their motion to dismiss before the Rule 41(d) motion is resolved would moot a substantial portion of the Rule 41(d)(2) relief sought in that motion.

4. Defendants' counsel Jude Volek held a videoconference with Plaintiff's counsel Jonathan Mitchell at approximately 2:00 PM CDT on March 24, 2025 to meet and confer regarding this Motion. During that consultation, the parties made good faith attempts to resolve differences, but they were unable to reach an accord.

WHEREFORE, Defendants respectfully request that the Court vacate the briefing schedule on their forthcoming motion to dismiss until Defendants' Rule 41(d) motion is resolved.

Dated: March 25, 2025

Respectfully submitted,

By: Danielle Conley

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Counsel for Defendants

CERTIFICATE OF SERVICE

I hereby certify that on March 25, 2025, I filed the foregoing with the clerk of the court by using the CM/ECF system and sent via electronic transmission to all parties of record.

s/ Danielle Conley

Danielle Conley (*admitted pro hac vice*)